

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1354 - SB 1310

March 30, 2009

SUMMARY OF BILL: Prohibits local governments in Tennessee from enacting policies prohibiting local officials from communicating or cooperating with federal officials with regard to the immigration status of any person in the state. Requires any local law enforcement officer who has reasonable cause to believe that an arrestee is not legally present in the United States to report such individual to federal immigration authorities. Such requirement would not apply to arrestees detained on suspicion of domestic violence unless convicted of the offense. Requires the governing body of local governments to communicate such policies to local law enforcement officials and to provide annual, written confirmation to the General Assembly of such directive. Requires the state Attorney General and all appropriate state and local law enforcement agencies to vigorously pursue all federal funds available for reimbursement of funds spent on the enforcement of immigration laws. Prohibits local governments violating the provisions of the bill from receiving financial assistance through grants from the Department of Economic and Community Development.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

Increase Local Expenditures – Exceeds \$100,000*

Other Fiscal Impact – An increase in revenue to the state and local governments due to increased federal funds for reimbursement of immigration expenditures. It is unknown how much assistance is available that is currently not received by state or local governments. Therefore, the magnitude of such increase cannot reasonably be quantified. Any decrease in state expenditures due to the potential restrictions on grants to local governments cannot reasonably be quantified because it is unknown how many local governments will not comply with the provisions of the bill and how much these local governments would have received in grant funds in the absence of this bill.

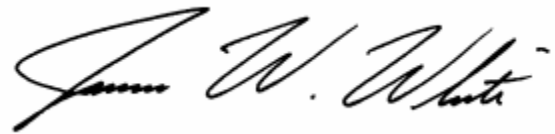
Assumptions:

- The administrative cost to each county to collect and report the required data is estimated to exceed \$1,200. The increase in local government expenditures associated with the bill is estimated to exceed \$100,000 (95 counties x \$1,200 = \$114,000).
- Any increase in state expenditures to comply with the provisions of the bill is estimated to be not significant.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/cce